

VZCZCXRO5110
PP RUEHAG RUEHAST RUEHDA RUEHDBU RUEHDF RUEHFL RUEHIK RUEHKW RUEHLA
RUEHLN RUEHLZ RUEHPOD RUEHROV RUEHSR RUEHVK RUEHYG
DE RUEHAK #1731/01 1871412
ZNR UUUUU ZZH
P 061412Z JUL 07
FM AMEMBASSY ANKARA
TO RUEHC/SECSTATE WASHDC PRIORITY 2864
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY
RUEHDA/AMCONSUL ADANA PRIORITY 2114
RHMFIUU/HQ USEUCOM VAIHINGEN GE PRIORITY
RUEHAK/USDAO ANKARA TU PRIORITY
RUEUITH/TLO ANKARA TU PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY
RUEUITH/ODC ANKARA TU PRIORITY
RUEKJCS/JOINT STAFF WASHDC//J-3/J-5// PRIORITY
RHMFIUU/39ABG CP INCIRLIK AB TU PRIORITY
RHEFDIA/DIA WASHDC PRIORITY
RHMFIUU/425ABS IZMIR TU//CC// PRIORITY
RHEHAAA/NSC WASHDC PRIORITY
RUEAIIA/CIA WASHDC PRIORITY

UNCLAS SECTION 01 OF 02 ANKARA 001731

SIPDIS

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [PGOV](#) [TU](#)

SUBJECT: TURKEY: HIGH COURT REJECTS CHALLENGES;
CONSTITUTIONAL AMENDMENTS PACKAGE ON DIRECT PRESIDENTIAL
ELECTIONS TO GO TO REFERENDUM

REF: A. ANKARA 1539

[1](#)B. ANKARA 1346 AND PREVIOUS

ANKARA 00001731 001.2 OF 002

[1](#)1. (U) Summary: Late July 5, Turkey's Constitutional Court (CC) announced that it had rejected appeals from main opposition Republican People's Party (CHP) and President Sezer that would have annulled the constitutional amendment package that provides for, i.a., direct election of the president. The package is now set to go to referendum; the Supreme Election Board (SEB) announced the referendum would take place October 21. Barring other procedural moves (which can never be ruled out), the next president will be elected by the new parliament that results from the July 22 general elections; the amendment package would likely go into force in the subsequent presidential election. End summary.

[1](#)2. (U) In a move that surprised virtually all commentators, the CC on July 5 rejected two separate procedural objections earlier lodged by President Sezer and the opposition CHP. The constitutional amendment package will now go to a referendum which, per the SEB chairman, is currently scheduled for October 21. The package provides for:

--direct election of the president (parliament currently elects the president) for a maximum of two five-year terms;

--reduction of the current five-year parliamentary term to four years; and

--setting the parliamentary quorum requirement at 184 (or one-third of all seats) for all constitutional provisions.

[1](#)3. (U) At this juncture, it appears likely that the new parliament that results from the July 22 general elections will elect the next president under the current constitutional provisions. Based on the May 1 CC ruling, this will require a super quorum of 367 MPs. Unless one party does exceptionally well in the elections and garners 367 or more seats in the 550-seat parliament, this will

require parties to compromise on a candidate if they do not want to be thrown back immediately into yet another general election.

¶4. (U) The order of business after the July 22 election likely will include the following elements:

--parliament convenes five days after the official announcement of election results;

--parliamentarians take their oaths, a new speaker is elected and a speakership council formed, likely by mid-August;

--a prime minister, appointed by the president from among the new MPs, nominates a cabinet which parliament must approve within 45 days of the PM's appointment or the president may call for new elections;

--parliamentarians move to elect a new president; once initiated, a candidate must be elected within 30 days or it will be back to the ballot box for Turks.

¶5. (U) The presidential election may run concurrently with government formation efforts. Normally, once MPs are sworn in, a speaker elected and speakership board constituted, the sitting president would appoint "an MP" (traditionally, but not always, the head of the party with the most seats) to form a government. The PM-designee then has 45 days within which to form a government. If no government can be formed within that period, the country would again go to the polls.

¶6. (SBU) Comment: Theories on why the CC decided to reject the appeals, as well as on timing and possibilities for the referendum and the presidential election are already flying fast and furious. What is important now is that Turkey continue with the general election process already in train, and that all politicians proceed calmly and responsibly with respect to both the (parliamentary) presidential election,

ANKARA 00001731 002.2 OF 002

and the upcoming referendum. We will counsel reason and compromise. Anything can happen, though, in the current overheated election atmosphere. End comment.

Visit Ankara's Classified Web Site at
<http://www.state.sgov.gov/p/eur/ankara/>

WILSON